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TO RUEHC/SECSTATE WASHDC IMMEDIATE 2797  
INFO RUEHZH/HAITI COLLECTIVE  
RUEHBR/AMEMBASSY BRASILIA 1009  
RUEHSA/AMEMBASSY PRETORIA 0856  
RUEHQU/AMCONSUL QUEBEC 0444  
RUMIAAA/HQ USSOUTHCOM J2 MIAMI FL  
RUEHGV/USMISSION GENEVA 1218  
RUCNDT/USMISSION USUN NEW YORK 0879  
RUEHPU/USDAO PORT AU PRINCE HA  
RUEHBS/USEU BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 PORT AU PRINCE 000669

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STATE FOR WHA/CAR  
S/CRS  
SOUTHCOM ALSO FOR POLAD  
STATE PASS AID FOR LAC/CAR  
INR/IAA (BEN-YEHUDA)  
WHA/EX PLEASE PASS USOAS

E.O. 12958: DECL: 01/12/2016  
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [HA](#)  
SUBJECT: HAITI: NEPTUNE CASE STALEMATED

REF: PAP 0479

Classified By: AMBASSADOR JANET A. SANDERSON, REASONS 1.4(B) AND (D).

11. (C) Summary: Embassy reports indicate that the health of former Prime Minister Yvon Neptune continues to decline as both he and Interim Prime Minister Gerard Latortue remain locked in a stalemate. The interim government is willing to broker a humanitarian release deal, provided that the government obtain medical confirmation of his grave medical state and a formal request for release from Neptune or a legal representative (similar to the formula followed in the humanitarian release of Father Gerard Jean-Juste). Neptune has refused to cooperate with either request that would lead to his release on humanitarian grounds and denied any deal that would shed a favorable light on the interim government in its last days. Ambassador, UN SRSG Valdes, Canadian Ambassador Boucher, and other local representatives of the international community have increased pressure on PM Latortue recently to reach an agreement but to no avail. At this point, there are more obstacles than solutions on the horizon for resolving Neptune's case. End Summary.

12. (C) Despite signals last month that he would be receptive to a release deal, Neptune has become further entrenched in his uncooperative stance (reftel). Emboffs received word from UN officials that Neptune's health had taken a turn for the worse during the last week of March which emboffs visit appeared to confirm. The former PM's wife, Marie-Jose Neptune, returned to Haiti on March 31 and has visited her husband daily since then. During a meeting with Ambassador Sanderson on April 4, Mrs. Neptune confirmed that since she last saw him in May 2005, her husband's condition had declined considerably due to his continued hunger strike. She said that she didn't expect him to last much longer. Indeed, he had provided her with details for the disposition of his body. Mrs. Neptune told the Ambassador they both felt that they had been burned in the past by the interim government. She said that in previous deals, when it appeared his release was confirmed, the deal would always fall through at the last minute through some fault of the government. She said her husband was tired of playing games and that he adopted his position of refusing to cooperate since Summer of 2005. She urged the Ambassador, however, to

try again with Latortue to reach a solution.

¶3. (C) Ambassador met with PM Latortue on April 7 to press him further on resolving Neptune's case. Latortue acknowledged that Neptune's health has apparently worsened and expressed concern that Neptune might die on his watch. He didn't believe that it would benefit the Preval government to inherit this situation. Latortue continued to push the "Jean Juste" formula of a lawyer requesting a humanitarian release and a medical certificate stating that the inmate's health is in jeopardy. He suggested to Ambassador that the lawyer need not be an actual representative of Neptune rather an "interested outsider" like an Amnesty International lawyer. Latortue stressed that this legal step was non-negotiable because the President (and Chief of Cabinet Michel Brunache) insisted on following some type of legal procedure. Ambassador encouraged Latortue to look at the big picture and the blemish that Neptune's death would leave on his legacy once he departed Haiti. Indeed, an issue that could follow him to the U.S. Latortue said that he was aware of that aspect but said that his hands were tied.

¶4. (C) Poloff explored the possibility raised by Latortue of an international legal representative with Mrs. Neptune. She said that "the international community can do whatever it wants but without her husband's cooperation." She said that after SRS Valdes spoke to her husband on April 7 asking him to consent to a medical evaluation, he became extremely upset and depressed and remained so for the entire weekend. She said that she realizes the international community is determined to work with the interim government but that she and her husband know that they are only interested in a humanitarian release for political gain and to boost their

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image on the world stage as its mandate terminates.

¶5. (C) Comment: Unfortunately, Neptune's case has become another in a series of Haitian standoffs. The government won't budge on the necessity for a legal basis for his release and Neptune won't cooperate with anything. Post will continue to explore the option of international legal representation for Neptune and inform of local efforts of other international missions. If the case is not resolved in the next four weeks, it will be on Preval's agenda to resolve, provided that Neptune survives that long. End Comment.  
SANDERSON